



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

OCT 24 2013

James L. Burke, Esq.  
Quarles & Brady LLP  
One Renaissance Square  
Two North Central Avenue  
Phoenix, AZ 85004-2391

RE: MUR 6465  
Natalie Wisneski

Dear Mr. Burke:

On October 21, 2013, the Federal Election Commission accepted the signed conciliation agreement submitted on your client's behalf in settlement of violations of 2 U.S.C. §§ 441b(a) and 441f, provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to Natalie Wisneski.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) still apply, and that this matter is still open with respect to other respondents. The Commission will notify you when the entire file has been closed.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

*Marianne Abely*  
Marianne Abely  
Attorney

Enclosure  
Conciliation Agreement

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of )

Natalie Wisneski )

MUR 6465

FEDERAL ELECTION  
COMMISSION

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OFFICE OF  
CHIEF COUNSEL

**CONCILIATION AGREEMENT**

This matter was initiated by a signed, sworn, and notarized complaint. The Federal Election Commission ("Commission") found reason to believe that Natalie Wisneski ("Respondent") knowingly and willfully violated 2 U.S.C. §§ 441b(a) and 441f.

NOW, THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Respondent Natalie Wisneski is the former Chief Operating Officer of the Arizona Sports Foundation, dba The Fiesta Bowl ("Fiesta Bowl"), a non-profit corporation in the state of Arizona organized under section 501(c)(3) of the Internal Revenue Code.

2. The Federal Election Campaign Act, as amended, (the "Act") prohibits corporations from making contributions from their general treasury funds in connection with the election of

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any candidate for federal office. 2 U.S.C. § 441b(a). In addition, section 441b(a) prohibits any officer or director of any corporation from consenting to any contribution by the corporation.

3. The Act also prohibits any person from making a contribution in the name of another and from knowingly permitting his or her name to be used to effect such a contribution.

2 U.S.C. § 441f. In addition, "no person shall . . . knowingly help or assist any person in making a contribution in the name of another." 11 C.F.R. § 110.4(b)(1)(iii).

4. A knowing and willful violation of the Act requires knowledge of all of the relevant facts and a recognition that the action is prohibited by law.

5. Since 2000, the Fiesta Bowl has used corporate funds to reimburse at least twenty-one individuals for at least \$46,539 in campaign contributions. At least \$30,400 of the contributions were made to federal candidates, comprised of twenty-nine contributions made by fourteen individuals.

6. Former President and Chief Executive Officer John Junker and lobbyist Gary Husk determined which federal candidates were to receive contributions. Typically, Junker and Husk requested that Wisneski solicit staff members. Husk's office, in some cases, sent contribution solicitations by e-mail to Junker and in a very few instances, Husk directly e-mailed contribution solicitations to Wisneski. Wisneski would then ask employees to make the contributions. The primary means of reimbursing contributors was through "bonus" checks approved by John Junker and signed by Wisneski. Wisneski consented to and assisted with the reimbursements by soliciting Fiesta Bowl employees to make contributions, by signing the reimbursement checks, and by authorizing the use of Fiesta Bowl funds to reimburse employees and other individuals, including her own contributions.

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7. On March 15, 2012, Natalie Wisneski entered a Plea Agreement in U.S. District Court, pleading guilty to 18 U.S.C. § 371 (Conspiracy), admitting, *inter alia*, that she “knowingly and willfully” conspired with others to make “campaign contributions in the name of another” in violation of the law.

V. Respondent knowingly and willfully consented to the use of corporate funds to make contributions in the names of others, assisted in making contributions in the names of others, and allowed her name to be used to effect such contributions, all in violation of 2 U.S.C. §§ 441b(a) and 441f.

VI. Respondent will cease and desist from violating 2 U.S.C. §§ 441b(a) and 441f.

VII. In ordinary circumstances, the Commission would seek a civil penalty based on the knowing and willful violations outlined in this agreement. However, the Commission is taking into account the fact that Respondent, through the submission of financial documentation to the Commission and additional representations, has demonstrated that financial hardship prevents her from paying a civil penalty in this matter. The documentation and representations indicate that Respondent has significant liabilities and does not have sufficient assets with which to pay the civil penalty. She was also convicted in a criminal matter arising from the same circumstances as described herein. The Commission regards Respondent’s document submissions and representations as material representations. Due to the mitigating circumstances presented by Respondent’s financial condition, the Commission agrees that Respondent has demonstrated financial hardship that prevents her from paying a civil penalty in this matter and that no civil penalty shall be due. If evidence is uncovered indicating that Respondent’s financial condition is not as stated, a civil penalty of up to fifteen thousand dollars (\$15,000) shall be immediately due, pursuant to 2 U.S.C. § 437g(a)(5)(B).

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VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

IX. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

X. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement

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**shall be enforceable.**

FOR THE COMMISSION:

**Daniel A. Petalas**  
**Associated General Counsel**  
**for Enforcement**

Date \_\_\_\_\_

10/29/13

**RESPONDENT:**

**Natalie Wisneski:**

Date \_\_\_\_\_

7-28-13